

An Act Promoting Regional Housing Cooperation

SECTION 1. Chapter 40B of the General Laws is hereby amended by inserting after section 20, the following section:-

A city or town, pursuant to sections 20 through 23 of chapter 40B, with a pending comprehensive permit for an application of development of housing, that shares a contiguous border to an adjacent city or town may propose to enter into an agreement with such city or town to share infrastructure and service costs associated with such development. Pursuant to such agreement, if such infrastructure and service costs are shared by a city or town, both cities and towns may share in counting such units towards their affordable housing threshold pursuant to sections 20 through 23 of chapter 40B provided further that no such unit shall be counted more than once. Any such proposed agreement shall be subject to approval by the department of housing and community development, which shall set forth guidelines for such agreements. Provided further such cities and towns may provide for a joint application to each city or town for a comprehensive permit application and provide for a joint hearing process for consideration of such joint application by such local zoning boards.

SECTION 2. The department of housing and community development in consultation with the commonwealth development coordinating council shall create a pilot program under which 3 housing regions may be established to address regional housing needs of cities and towns within a region. Such cities or towns in a region may agree to meet affordable housing thresholds established under sections 20 through 23 of chapter 40B in one region. The department and the commonwealth development coordinating council

shall establish criteria for such housing region to include but not be limited to the following:

1. only contiguous communities that have not exceeded 10 percent toward their affordable housing thresholds on the subsidized housing inventory maintained by the department pursuant to sections 20 through 23 of chapter 40B shall be eligible to participate in such region;
2. contiguous communities shall enter into an inter-municipal agreement and develop a joint housing plan for the region consistent with development goals established by the department. Such plan shall:
 - a. address how the communities will share the infrastructure or service costs and benefits of low- and moderate-income housing development, and how credit for such affordable housing development will be reflected on the subsidized housing inventory for each city or town within the region.
 - b. address how contiguous cities or towns will achieve their housing goals.

The total housing goals in the region shall be at a minimum, the sum of the goals established by section 20 of chapter 40B of each city or town participating in the plan.

The authority granted by this section shall cease on June 30, 2006, and the department shall report the results of said pilot program to the clerks of the house of representatives and the senate and the joint committee on housing and urban development.

SECTION 3. Notwithstanding any general or special law to the contrary, no application for a comprehensive permit filed pursuant to sections 20 through 23 of chapter 40B

before the effective date of this act shall be denied as a result of changes to the General Laws pursuant to this act.

SECTION 4. This act shall take effect June 30, 2004.